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Patent Application
Attorney Docket No. PC23161A

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By _____

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: John Michael :
Humphrey, et al.

APPLICATION NO.: 10/705,466 : Examiner:
: Davis, Brian J.

FILING DATE: November 10, 2003 : Group Art Unit: 1621

TITLE: PROCESS FOR CONVERTING A CIS-
TRANS MIXTURE OF SUBSTITUTED
BENZYLIDENE AMINES INTO THE PURE CIS
ISOMER

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

AMENDMENT

In response to the Office Action dated November 17, 2004, Applicants hereby file the following amended claims and remarks in accordance with 37 C.F.R. 1.114.

This response is timely since it falls within the 3 month shortened statutory period. The Commissioner is hereby authorized to charge any normal fee to Deposit Account No. 16-1445.

Remarks

In the Office Action, the Examiner noted that claims 1-24 are pending in the application, and that claims 2, 5, 15, 22, 24 are objected to.

By this amendment objected to claims 2, 5, 15, 22 and 24 have been amended. Additionally, independent claim 1, originally allowed, has been amended so that claim 2 in its amended form is properly dependent on claim 1.

Claim 2 is objected to under 37 CFR 1.75 c as being of improper dependent form for failing to further limit the subject matter of a previous claim. Thus, claim 1 is limited to the NO₂ substitution on C₂ while claim 2 which depends from claim 1, expands the permissible substituents.

Amended claim 1 expands the scope of permissible substituents by reciting a Markush group of strongly electron withdrawing substituents or chemical moieties represented by X in formula I.

Amended claim 2 is limited to the NO₂ substituent. There is no new matter as the same Markush group is found in original claim 2.

Amended claim 2 is properly dependent on claim 1 by virtue of the limitations it imposes on the scope of permissible electron withdrawing substituents.

Amended claim 5 and 24 contain a period at the end of the claim in compliance with MPEP 608.01 (m).

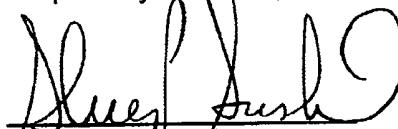
Claim 15 has been amended so that it imposes a further limit on the subject matter of claim 1.

Claim 22 has been amended to properly depend from claim 21.

Conclusion

For the reasons stated above, applicant respectfully submits that the application is in condition for allowance and that action is earnestly solicited.

Respectfully submitted,


Stuart P. Suskind
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Date: December 08, 2004